

FILED

JUL 18 2001

NEW JERSEY BOARD OF
CHIROPRACTIC EXAMINERS

JOHN J. FARMER, JR.
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the Board of Chiropractic Examiners

By: Jodi C. Krugman, Deputy Attorney General
(973) 648-2975

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF CHIROPRACTIC EXAMINERS

IN THE MATTER OF THE SUSPENSION:
OR REVOCATION OF THE LICENSE OF:

DANIEL J. COLACHE, D.C.
License No. MC005486

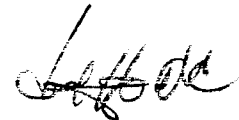
Administrative Action

CONSENT ORDER

TO PRACTICE CHIROPRACTIC
IN THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Chiropractic Examiners (hereinafter "the Board") upon receipt of information that Daniel J. Colache, D.C. had allegedly engaged in sexual misconduct. On January 11, 2001 Respondent appeared with counsel, D. William Subin, Esquire at an investigative inquiry into the matter held by the Board.

Having reviewed the entire record, including the testimony of Respondent at the investigative inquiry, including his testimony that he had no intent to initiate an inappropriate relationship with the patient, it appears to the Board that Respondent engaged in unprofessional



conduct in violation of N.J.A.C. 13:44e-2.3(e) and (g) by engaging in discussions of a sexual nature that were unrelated to legitimate patient needs and showing a patient and an office staff member an x-ray which revealed a subumbilical piercing.

These facts establish a basis for a disciplinary action pursuant to N.J.S.A. 45:1-21(e) and (h). It appearing that Respondent desires to resolve this matter without admissions of liability or wrongdoing and without recourse to formal proceedings, and for good cause shown,

IT IS, ON THIS 18 DAY OF July, 2001

HEREBY ORDERED AND AGREED BY THE PARTIES THAT:

1. Respondent agrees to cease and desist from discussions of a sexual nature with his patients and in the workplace, unless those discussions are related to legitimate patient needs. Respondent shall not discuss his own intimate sexual relationship(s). He shall also cease and desist showing the x-ray mentioned above to any patient or employee or in his workplace. This Consent Order constitutes an official reprimand for Respondent's conduct.

2. Respondent agrees to pay civil penalties, pursuant to N.J.S.A. 45:1-22 in the amount of \$500 for the alleged violations of N.J.A.C. 12:44E-2.3(e), and \$500 for the alleged violations of N.J.A.C. 13:44E-2.3(g). Payment for the civil penalties totaling \$1,000, shall be submitted no later than thirty (30) days from the entry of this Consent Order by certified check or money order made payable to the State of New Jersey, and shall be sent to Kevin Earle, Executive Director, Board of Chiropractic Examiners, P.O. Box 45004, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101. Subsequent violations will subject Respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

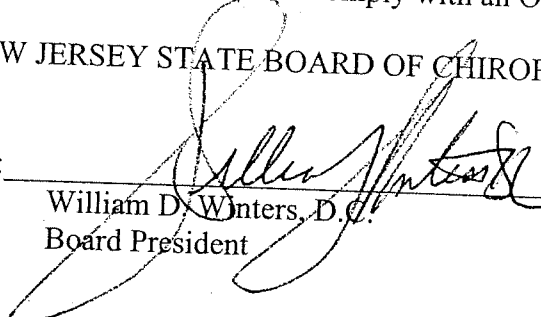


3. Respondent hereby agrees to pay the costs to the State of the investigation in this matter in the amount of \$3,443.04. Payment for the costs shall be submitted by certified check or money order, made payable to the State of New Jersey and submitted to the Board at the address set forth in paragraph 2, no later than thirty (30) days from the entry of this Consent Order.

4. Failure to comply with any provisions of this Order or remit any and all payments required by this Order will result in the filing of a certificate of debt and may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

NEW JERSEY STATE BOARD OF CHIROPRACTIC EXAMINERS

BY:

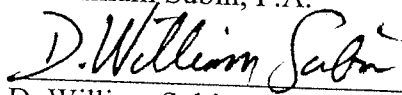

William D. Winters, D.C.
Board President

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.


Daniel J. Colache, D.C.

Consent is given as to form:

D. William Subin, P.A.


D. William Subin, Esq.